UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,586	02/17/2004	Jonathan E. Rivers-Moore	MS1-1864US	3412

69316 7590 08/09/2007

MICROSOFT CORPORATION
ONE MICROSOFT WAY
REDMOND, WA 98052

EXAMINER	
HUYNH, THU V	

ART UNIT	PAPER NUMBER
2178	

MAIL DATE	DELIVERY MODE
08/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/781,586	RIVERS-MOORE ET AL.	
	Examiner	Art Unit	
	Thu V. Huynh	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 March 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *18-44* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *18-44* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *10/18/07; 6/5/07*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: IDS filed on 10/18/06 and 06/05/07 to application filed on 02/17/04.

2. Claims 1-17 and 45-49 are currently canceled.

3. Claims 18-20 and 41-44 are currently amended.

4. Claims 18-44 are pending in the case. Claims 18 and 41 are independent claims.

Information Disclosure Statement

5. The information disclosure statement (IDS) submitted on 06/18/06 and 06/05/07 are considered by the examiner.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. **Claims 18-20 and 27-28 remain rejected under 35 U.S.C. 102(b) as being anticipated by Kutay et al., US 2002/0026461 A1, filed 06/05/01.**

Regarding independent claim 18, Kutay teaches the steps of:

- presenting extensible markup language (XML) data of a node of a first XML document in a user interface (Kutay, figures 15A-15D) having:

- a first portion to display the XML data in an electronic form representation (Kutay; figures 15A-15D; [0174]; presenting XML data, such as "root" node in an electronic form);
- another portion concurrently displayable with the first portion to display the XML data in a hierarchal tree representation (Kutay, fig.15A; portion 1504 for display "root" node in hierarchical tree representation);
- enabling one or more operations through interaction with a component in the electronic form representation corresponding to the XML data (Kutay; figures 15A-15D; [0174]; enabling to define an element, fields to use and adding a child element corresponding to the "root" node through interaction with field or button component in the electronic form);
- receiving selection of an operation of the one or more operations (Kutay; figures 15A-15D; user clicks to define or add an element/node);
- modifying the XML data of the first XML document corresponding to the component in the electronic form based on the received operation (Kutay; figures 15A-15D; [0179]; modifying the XML data based on user inputs, such as adding a child node or deleting a child node) , wherein:
    - the act of presenting comprises determining that the node is identified in a first element in a second XML document (Kutay; figures 15A-15D; [0174]; determining that the node, such as "root" node is identified in XML hierarchical structure document);
    - the act of enabling comprises determining that the operations are identified in a second element associated with the first element in the

second XML document (Kutay; fig.15B; "Click to set name" in XML hierarchical structure document indicates that the user is able to define a new added child element); and

- the act of modifying the XML data cause modifications to the XML data to be concurrently reflected in the electronic form representation and the hierarchal view representation (Kutay, figures 15A-15D, changing a name of a node or adding a child to a node is reflected in the electronic form as well as in the hierarchal view representation).

Regarding claim 19, which is dependent on claim 18, Kutay teaches the act of presenting comprises presenting a blank data-entry field in the electronic form representation (Kutay; figures 15A-15D).

Regarding claim 20, which is dependent on claim 18, Kutay teaches presenting a data-entry field having content, the content contained in the node (Kutay; figures 15B, [0179]).

Regarding claim 27, which is dependent on claim 18, Kutay teach the first XML document comprises data not represented with XML (Kutay, fig.15C, image is not represented with XML).

Regarding dependent claim 28, which is dependent on claim 18, Kutay teaches determining that the second element comprises an attribute indicating that the operations

comprise insertion or deletion of the identified node, or of a sibling node to the identified node (Kutay; figures 15A-15D; "delete" button to delete an identified node).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
>
> (b) This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. **Claims 21, 24, 29-30, 35-41 and 44 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Kutay et al., US 2002/0026461 A1, filed 06/05/01.**

Regarding claim 21, which is dependent on claim 18, Kutay does not explicitly teach determining that the node is identified comprises determining that the first element comprises a character string "xmltoEdit".

However, Kutay teaches an element comprises character string "Click to set name" to identify a node (Kutay, fig. 15B).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kutay's teaching to include any character string to identify the node, since the modification would have provided the user different hinds to modify/edit the node.

Regarding claim 24, which is dependent on claim 18, Kutay does not explicitly teach determining that the second element comprises a character string of "editWith".

However, Kutay teaches an element comprises character string "Click to set name" to edit a node (Kutay, fig. 15B).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kutay's teaching to include any character string to identify the node, since the modification would have provided the user different hinds to modify the node.

Regarding dependent claims 29, which is dependent on claim 28, Kutay does not explicitly teach the value of the attribute comprise a character string of "xCollection".

However, Kutay teaches the value of the attribute comprise a character string of "Click to Add a Child" to insert a node (Kutay, fig. 15B).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kutay's teaching to include any character string to insert a node, since the modification would have provided the user the different hinds to modify the node.

Regarding dependent claims 30, which is dependent on claim 28, Kutay does not explicitly teach the value of the attribute comprise a character string of "xOptional".

However, Kutay teaches the value of the attribute comprise a character string of "Click to Add a Child" to insert a node (Kutay, fig. 15B).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kutay's teaching to include any character string to insert a node, since the modification would have provided the user the different hinds to modify the node.

Regarding dependent claim 35, which is dependent on claim 34, Kutay does not explicitly teach the additional character string is associated with a character string "parent".

However, Kutay teaches the value of the attribute comprise a character string of "Click to Add a Child" to insert a node (Kutay, fig. 15B).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kutay's teaching to include any character string to insert a node, since the modification would have provided the user the different hinds to modify the node.

Regarding dependent claims 36, which is dependent on claim 18, Kutay does not explicitly teach determining that the second element comprises an attribute indicating that the operations comprise addition to or alteration of data within the identified node (Kutay,

However, Kutay teaches the value of the attribute comprise a character string of "Click to Add a Child" to insert a node (Kutay, fig. 15B).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kutay's teaching to include any character string to

insert a node, since the modification would have provided the user the different hinds to modify the node.

Regarding dependent claims 37, which is dependent on claim 36, Kutay does not explicitly teach determining that the second element comprises an attribute comprises determining that a value of the attribute comprises a character string "xField"

However, Kutay teaches the value of the attribute comprise a character string of "Click to Add a Child" to insert a node (Kutay, fig. 15B).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kutay's teaching to include any character string to insert a node, since the modification would have provided the user the different hinds to modify the node.

Regarding dependent claims 38, which is dependent on claim 37, Kutay does not explicitly teach determining that the second element comprises a second attribute having a character of "type".

However, Kutay teaches an element comprises a character string of "Click to Add a Child" to insert a node (Kutay, fig. 15B).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kutay's teaching to include any character string to insert a node, since the modification would have provided the user the different hinds to modify the node.

Regarding dependent claim 39, which is dependent on claim 38. Kutay teaches determining that the second attribute is associated with a character string of "text" and the act of enabling one or more operations comprises enabling creation and modification of text within the identified node (Kutay, fig.15D). However, Kutay does not explicitly teach the character string is "rich" and the text is rich text data.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kutay's teaching to include any character string to enabling creation of text or rich text data, since the modification would have provided the user the different types of data, such as text, rich text, plain text, image, etc. to modify the node.

Regarding dependent claims 40, which is dependent on claim 38, Kutay teaches determining that the second attribute is associated with a character string of "text" and the act of enabling one or more operations comprises enabling creation and modification of text within the identified node (Kutay, fig.15D). However, Kutay does not explicitly teach the character string is "plain" and the text is plain text data.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kutay's teaching to include any character string to enabling creation of text or rich text data, since the modification would have provided the user the different types of data such as text, rich text, plain text, image, etc. to modify the node. It is noted that text includes rich text and plain text format is well known in the art at the time the invention was made.

Regarding independent claim 41, Kutay does not explicitly teach determining that:

- presenting, in a first portion of a user interface, a first extensible markup language (XML) document as an electronic form having one or more data-entry field representing one or more nodes of the first XML document, the user interface including another portion concurrently displayable with the first portion to display the first XML document in a hierarchical tree representation (Kutay; figures 15A-15D; [0174]; presenting, in portion 1505, XML data in electronic form with data-entry fields; portion 1504 to display XML data in a hierarchical tree);
- enabling an operation to be performed on one of the nodes through its data-entry field (Kutay; figures 15A-15D; [0174]; enabling to define an element, fields to use and adding a child element), wherein:
    - the one node is identified in an element comprising a character string of in a second XML document (Kutay; figures 15A-15D; determining that the node, is identified in XML hierarchical structure document, wherein the node comprise "Click to set name" string or the name entered of the node);
    - the opearation enabled to be performed on the one node is identified in a child element of the element, the child element comprising a character string (Kutay, figures 15A-15D; identifying child node of a parent node, the child node comprising the string "Click to set name" string); and

- when performed, the operation enable to be performed causes a modification of data corresponding to the one node in the first XML document, the modification being concurrently reflected in the electronic form and the hierarchal tree representation (Kutay, figures 15A-15D, changing a name of a node or adding a child to a node is reflected in the electronic form as well as in the hierarchal view representation)

However, Kutay does not explicitly disclose the strings are "xmlToEdit" and "editWith" strings.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kutay's teaching to include any character string to identify the node, since the modification would have provided the user different hinds to modify/edit the node.

Regarding dependent claims 44, which is dependent on claim 41, Kutay teaches enabling the operation comprises enabling the operation only if the electronic form comprises a representation of a context node, and wherein the context node is identified in a "container" attribute of the "xmlToEdit" element (Kutay, figures 4A; item 414; 15B-15D; [0181]; enabling the operations only if the XML form comprises of data sets previous created, and the data sets are identified in attribute selected in "JustMetaObject" element). However, Kutay does not explicitly disclose the "xmlToEdit" element.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kutay's teaching to include any character string to

identify the node, since the modification would have provided the user different hinds to modify/edit the node.

10. **Claims 22-23, 31-34 and 42 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Kutay as applied to claim 18 above, and further in view of Britton et al., US 2003/0018668 A1, filed 07/20/01.**

Regarding claim 22, which is dependent on claim 18, Kutay does not explicitly teach determining that the node is identified comprises determining that a location of the node matches an Xpath expression determinable from a value of an attribute on the first element.

Britton teaches Xpath expression is used to determine a location the node/element, wherein the Xpath expression is determined from a value of an attribute on the element (Britton, [0072]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Britton's teaching and Kutay's teaching to using Xpath, since the combination would have pinpointed the specific node located in the XML document.

Regarding claim 23, which is dependent on claim 18, Kutay does not explicitly teach determining that the first element comprises a character string of "item" and that a value associated with that character string is usable to determine an Xpath expression matching a location of the node.

Britton teaches element comprises a character string of "take-effect" and that a value associated with that character string is usable to determine an Xpath expression matching a location of the node (Britton, [0072]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Britton's teaching and Kutay's teaching to include any character string attribute for the node/element and using Xpath, since the combination would have pinpointed the specific node located in the XML document.

Regarding dependent claim 31, which is dependent on claim 28, Kutay teaches the second element indicates that the operations comprise insertion of the nodes (Kutay; fig.15B; "Click to set name" in XML hierarchical structure document indicates that the user is able to define a new added child element). However, Kutay does not explicitly teach a location where the nodes are to be inserted based on one or more character strings in the first element, the character strings being treatable as an Xpath expression.

Britton teaches element comprises a character string of "take-effect" and that a value associated with that character string is usable to determine an Xpath expression matching a location of the node (Britton, [0072]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Britton's teaching and Kutay's teaching to include any character string attribute for the node/element and using Xpath, since the combination would have pinpointed the specific node located in the XML document.

Regarding dependent claims 32, which is dependent on claim 28, Kutay does not explicitly teach determining a location for the insertion with an Xpath expression associated with a character string of "item" in the first element.

Britton teaches element comprises a character string of "take-effect" and that a value associated with that character string is usable to determine an Xpath expression matching a location of the node (Britton, [0072]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Britton's teaching and Kutay's teaching to include any character string attribute for the node/element and using Xpath, since the combination would have pinpointed the specific node located in the XML document.

Regarding dependent claims 33, which is dependent on claim 28, Kutay teaches a child element comprises a character string Kutay teaches an element comprises character string "Click to set name" to edit a node (Kutay, fig. 15B). However, Kutay does not explicitly teach determining the identified node or the sibling of the identified node using a child element of the second element, and the character string "chooseFragment".

Britton teaches element comprises a character string of "take-effect" and that a value associated with that character string is usable to determine an Xpath expression matching a location of the node (Britton, [0072]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Britton's teaching and Kutay's teaching to include

any character string attribute for the node/element and using Xpath, since the combination would have pinpointed the specific node located in the XML document.

Regarding dependent claims 34, which is dependent on claim 33, Kutay does not explicitly teach determining a location for inserting the identified node or the sibling of the identified node using an XPath expression associated with an additional character string of the child element.

Britton teaches element comprises a character string of "take-effect" and that a value associated with that character string is usable to determine an Xpath expression matching a location of the node (Britton, [0072]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Britton's teaching and Kutay's teaching to include any character string attribute for the node/element and using Xpath, since the combination would have pinpointed the specific node located in the XML document.

Regarding dependent claims 42, which is dependent on claim 41, Kutay does not explicitly teach the one node is identified by an XPath expression associated with a value of an "item" attribute in the "xmlToEdit" element.

Britton teaches Xpath expression is used to determine a location the node/element, wherein the Xpath expression is determined from a value of an attribute on the element (Britton, [0072]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Britton's teaching and Kutay's teaching to using

Xpath, since the combination would have pinpointed the specific node located in the XML document.

11. **Claims 25 and 43 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Kutay as applied to claim 18 above, and further in view of Huang, US 2004/0205592 A1, filed 08/20/02.**

Regarding claim 25, which is dependent on claim 18, Kutay teaches the second element comprises a character string (Kutay, fig. 15B, string "Click to set name"). However, Kutay does not explicitly teach the character string is "component" and a value associated with the character string, and using the value to determine the operations.

Huang teaches a second element comprises a character string and a value associated with the character string, and using the value to determine operations (Huang, figures 6A-6C; body element in XML tree 609 includes a string and associated values to edit the XML document 600).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kutay's teaching and Huang's teaching to include any character string and value associated with the string to determine edit the XML document.

Regarding dependent claims 43, which is dependent on claim 41, Kutay does not explicitly teach the operation to be performed is identified by a value of a "component" attribute in the child element.

Huang teaches a second element comprises a character string and a value associated with the character string, and using the value to determine operations (Huang, figures 6A-6C; body element in XML tree 609 includes a string and associated values to edit the XML document 600).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have modified Kutay's teaching and Huang's teaching to include any character string and value associated with the string to determine edit the XML document.

12. **Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kutay as applied to claim 18 above, and further in view of Engel, US 2004/0163041 A1, filed 02/13/03.**

Regarding claim 26, which is dependent on claim 18, Kutay does not explicitly teach determining that the second XML document comprises a namespace having a namespace resource indicator having a character string of either "microsoft" or "infopath".

Engel teaches XML document comprises a namespace having a namespace resource indicator having a character string of either "microsoft" or "infopath" (Engle, [0169] and fig.7D).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Engel's teaching and Kutay's teaching to include a namespace element, since the combination would have indicated elements are members of a namespace in the XML document.

Response to Arguments

13. Applicant's arguments filed on 03/14/07 have been fully considered but they are not persuasive.

Applicants argue that Kutay does not teach the amended claims 18 and 41.

This is not persuasive. Kutay teaches the amended limitation as explained in the rejection above. It is noted that the limitations of the electronic form representation of the XML document for editing/modifying (application, fig.2); and inserting a selected component from a list of components to a field in the electronic form to provide one or more operations correspond to the selected component for the field (application, fig.4) as discussed in the interview are not claimed. Therefore, the claim language of claims 18 and 41 do not overcome the Kutay reference.

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Allan et al., US 2005/0102612 A1, filed 11/03, teaches web-enabled XML editor.

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu V. Huynh whose telephone number is (571) 272-4126. The examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TVH
August 3, 2007

STEPHEN HONG
SUPERVISORY PATENT EXAMINER